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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 KEVIN ELLISON,

14 Defendant,

15 and

16 NFL PLAYER SECOND CAREER
17 SAVINGS PLAN,

18 Garnishee.

No. 2:12-CR-00072-LRS

CLERK'S NOTICE OF POST-
JUDGMENT GARNISHMENT AND
INSTRUCTIONS TO DEFENDANT

19 TO: THE ESTATE OF KEVIN ELLISON

20 You are hereby notified that a Writ of Garnishment was issued, based upon a
21 Consent Judgment entered against the Defendant on September 2, 2014, in the amount
22 of \$83,164.60, in the above-captioned and numbered case in the United States District
23 Court for the Eastern District of Washington. On November 15, 2012, the Court entered
24 and Order directing Defendant to pay restitution in the amount of \$101,047.85 (ECF
25 No. 66). On March 21, 2013, the Court entered an Amended Order Re Restitution,
26 requiring the Defendant to pay restitution in the adjusted amount of \$107,064.60 (ECF
27 No. 73). As of August 21, 2014, the Defendant had made restitution payments totaling
28 \$23,900.00, leaving a balance owed of \$83,164.60, which is reflected in the above-
mentioned Consent Judgment (ECF No. 85). Currently, a balance of \$68,464.60
remains outstanding.

1 The Writ of Garnishment was served on Garnishee, NFL Player Second Career
2 Savings Plan, Attn: Alvaro I. Anillo, 1701 Pennsylvania Ave., N.W., Washington, D.C.
3 20006-5811, and it is believed that the Garnishee may have property of Kevin Ellison
4 and/or the Estate of Kevin Ellison in its custody, possession, or control, now or in the
5 future.

6 In addition, you are hereby notified that there are exemptions under the law which
7 may protect some of your property from being taken by the government if you can show
8 that the exemptions apply. The attached Notice to Defendant on How to Claim
9 Exemptions and Claim for Exemption Form summarize the major exemptions.

10 If you represent the Estate of Kevin Ellison, you have a right to ask the Court to
11 return his property to you if you think the property the government is taking qualifies
12 under one of the exemptions listed in the attachments, or if you think Kevin Ellison does
13 not owe the money to the government that it says he does.

14 If you want a hearing, you must notify the Court within 20 days after receipt of
15 the notice. Your request must be in writing. If you wish, you may use the attached notice
16 to request a hearing. You must either mail your request or deliver it in person to the Clerk
17 of the United States District Court for the Eastern District of Washington. The Clerk's
18 address is West 920 Riverside, 8th Floor, Post Office Box 1493, Spokane, Washington
19 99210-1493. You must also send a copy of your request to the United States Attorney's
20 Office, Attention: Financial Litigation Unit, Post Office Box 1494, Spokane,
21 Washington 99210-1494, so the United States will know you are requesting a hearing.
22 The Court shall hold a hearing within 10 days after the date the request is received by
23 the Court, or as soon thereafter as is practicable, and give notice of the hearing date to
24 all the parties.

25 At the hearing you may explain to the judge why you believe the property the
26 government has taken is exempt or why you think Kevin Ellison does not owe the
27 money to the government. If you do not request a hearing within twenty (20) days of
28 receiving this notice, the property may be applied to the debt owed to the government.

1 If you think you live outside the Federal judicial district in which the Court is
2 located, you may request, not later than twenty (20) days after you receive this notice,
3 that this proceeding to take the property be transferred by the Court to the federal
4 judicial district in which you reside. You must make your request in writing, and either
5 mail it or deliver it in person to the Clerk of the Court, West 920 Riverside, 8th Floor,
6 Post Office Box 1493, Spokane, Washington 99210-1493. You must also send a copy
7 of your request to the United States Attorney's Office, Attention: Financial Litigation
8 Unit, Post Office Box 1494, Spokane, Washington 99210-1494, so the United States
9 Attorney will know you are requesting the proceeding to be transferred.

10 Be sure to keep a copy of this notice for your own records. If you have any
11 questions about your rights or about this procedure, you should contact a lawyer, an
12 office of public legal assistance, or the Clerk of the Court. The Clerk is not permitted to
13 give legal advice, but can refer you to other sources of information.

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15 DATED this 11th day of March, 2019.

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18 Deputy Clerk
19 Sean F. McAvoy
20 Clerk of Court
21 District Court Executive
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,
vs.

No. 2:12-CR-00072-LRS
DEFENDANT'S REQUEST FOR
HEARING

KEVIN ELLISON,
Defendant,
and
NFL PLAYER SECOND CAREER
SAVINGS PLAN,
Garnishee.

TO: CLERK OF COURT

___ I do request a hearing because:

___ I disagree with the reason that the government gives for taking my property.

___ I do not owe the money to the government as it says I do.

___ The property that the government is taking is exempt.

Date:

Defendant's Name:

Defendant's Signature:

Defendant's Address:

Defendant's Telephone No.: